

NEW LEGISLATIVE COUNSEL

The Legislature has appointed Diane F. Boyer-Vine as its new Legislative Counsel of California. A resolution ([SCR 87](#) – [Burton](#)) designating Boyer-Vine as the Legislative Counsel passed the Senate last month, 35-0. Yesterday, the Assembly passed SCR 87 by a vote of 73-1.

The office of the Legislative Counsel was created by statute in 1913. The Legislative Counsel serves as the legal counsel to the Legislature and its members, in addition to handling all official bill drafting, preparing opinions, and related matters. The Legislative Counsel and her staff of deputies maintain an attorney-client relationship with the Legislature and its members, except with the consent of the person bringing the matter before the Legislative Counsel. The Legislative Counsel is also authorized to provide the Governor with legal services concerning information on bills presented for approval or rejection, the operation or effect of a bill, and related subjects.

IMPORTANT LEGISLATIVE DATES

- **June 15** - Budget must be passed by midnight, per California Constitution.
- **June 28** - Last day for policy committees to meet and report bills.
- **June 30** – Constitutional deadline for Governor to sign Budget Bill (assuming he has received it).
- **July 5** - One month summer recess if the Budget Bill has been enacted.

CIVIL FILING FEE INCREASE

The Conference Committee on the Budget acted on Tuesday to approve a 10 percent surcharge on civil filing fees. The fee increase will generate an estimated \$15 million in annual revenue to the state's General Fund. The surcharge is an element in Governor Davis' 2002-03 State Budget proposal.

Both houses of the legislature approved the surcharge but the Assembly adopted a five-year "sunset," forcing the issue to the Conference Committee for reconciliation. On Tuesday, the Conference Committee approved the Assembly's "sunset" provision, meaning the surcharge will expire on July 1, 2007.

It remains unclear what impact the 10 percent surcharge will have on SB 1732 (Escutia), a measure that would impose a \$50 surcharge on civil filings fees to help finance court facilities construction and renovation. SB 1732 is in the Assembly awaiting a hearing by the Judiciary Committee.

DOCTOR & ACCOUNTANT REGULATORY BILLS MOVE FORWARD

Legislation to make significant changes in the regulatory structure for doctors and accountants was approved by the respective houses of the Legislature last week.

A bill to overhaul the Medical Board of California ([SB 1950](#) – [Figueroa](#)) was approved by the Senate, 35-2, and sent to the Assembly. In the other house, a bill ([AB 2970](#) – [Wayne](#)) to prohibit auditors from becoming employees of an audit client until after a 24-month "cooling off" period following the issuance of the financial statement report passed by a minimum 41-33 margin.

SB 1950 adds two public members to the 19-member California Medical Board and requires the board to disclose more information on doctors, including misdemeanor convictions related to medical practice and civil judgments not overturned on appeal. It also would make public any civil settlements of \$30,000 or more.

The bill was the result of a series of newspaper articles which showed the board investigates only about 20 percent of the nearly 10,600 complaints it receives annually, and that most complaints are never revealed to patients looking for new doctors.